



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Lawrence R. Green, et al.

Application No.: 09/506,430

Filed: February 17, 2000

For: Pharmaceutical Dipeptide
Compositions and Methods of Use
Thereof

Group Art Unit: 1653

Examiner: David Lukton

Confirmation No.: 6441

SUBMISSION OF REVOCATION AND NEW POWER OF ATTORNEY
BY ASSIGNEE OF ENTIRE INTEREST

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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JUN 05 2003

TECH CENTER 1600/2900

Sir:

Enclosed is a Statement under 37 CFR 3.73(b), a Change of Correspondence Address for Application, and a Revocation and New Power of Attorney by Assignee of Entire Interest for the above-referenced application.

The new Attorney Docket No. for this file is 033599-015. Please update the file accordingly, and use this number in correspondence related to this file.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02 4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: Sherry M. Carty
Sherry M. Carty
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(919) 941-9240

Date: June 2, 2003



Attorney's Docket No. 033599-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)

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Application No.: 09/506,430)

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REVOCATION AND NEW POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

As the Assignee of the entire interest in the above-identified application, all powers of attorney previously given are hereby revoked, and Allen R. Baum, Reg. No. 36,086; Mary B. Grant, Reg. No. 32,176; Joshua T. Elliott, Reg. No. 43,603 and Sherry M. Carty, Reg. No. 51,534 are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected with the above-identified application.

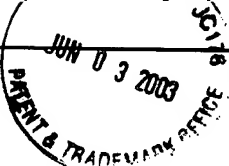
Please direct all telephone calls and correspondence to:

Allen R. Baum
Burns, Doane, Swecker & Mathis, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404
(919) 941-9240

Date: 5/1/2003

Signature:

Name: Moise A. Khayrallah
Title: Chief Operating Officer
Company: Melmotte, Inc.



Attorney Docket No. 033599-015

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Lawrence R. Green, et al.

Application No./Patent No.: 09/506,430

Filed/Issue Date: February 17, 2000

Entitled: Pharmaceutical Dipeptide Compositions and Methods of Use Thereof

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Melmotte, Inc.
(Name of Assignee)

corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

TECH CENTER 1600/2900

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest. The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Inventors of the above-identified application To: Cytoven

The document was recorded in the United States Patent and Trademark Office at Reel 8014, Frame 0777, or for which a copy thereof is attached.

2. From: Cytoven To: Cytran, Inc.

The document was recorded in the United States Patent and Trademark Office at Reel 8955, Frame 0466, or for which a copy thereof is attached.

3. From: Cytran, Inc. To: Melmotte, Inc.

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

5/1/2003

Date

Moise A. Khayrallah

Typed or printed name

Signature

Chief Operating Officer

Title

BURNS DOANE

STATEMENT UNDER 37 CFR 3.73(b)

ASSIGNMENT

THIS ASSIGNMENT, by CYTRAN, INC., a corporation duly organized under and pursuant to the laws of WASHINGTON and having its principal place of business at 10230 N.E. POINTS DRIVE, SUITE 530, KIRKLAND, WASHINGTON 98033 (hereinafter referred to as "the Assignor"), witnesses:

WHEREAS, the Assignor is the owner of the entire right, title, and interest set forth in the U.S. Patents and Applications for Patent listed in Schedule A and the inventions disclosed therein.

WHEREAS, MELMOTTE, INC. a corporation duly organized under and pursuant to the laws of DELAWARE, and having its principal place of business at 3900 PARAMOUNT PARKWAY, MORRISVILLE, NORTH CAROLINA, 27560, U.S.A. (hereinafter referred to as "the Assignee"), is desirous of acquiring the entire right, title, and interest in and to said U.S. Patents, Patent Applications, and inventions, the right to file applications on said inventions and the entire right, title and interest in and to any applications, including provisional applications for Letters Patent of the United States or other countries claiming priority to said applications, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, the Assignor has sold, assigned, transferred, and set over, and by these presents does sell, assign, transfer, and set over, unto the Assignee, its successors, legal representatives, and assigns the entire right, title, and interest in and to the above-mentioned U.S. Patents, Patent Applications, and inventions vested in Assignor, the right to file applications on said inventions and the entire right, title, and interest in and to any applications for Letters Patent of the United States or other countries claiming priority to said applications vested in Assignor, and any and all Letters Patent or Patents of the United States of America and all foreign countries that may be granted therefor and thereon, and in and to any and all applications claiming priority to said applications, divisions, continuations, and continuations-in-part of said applications, and reissues and extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by the Assignee, for its own use and behalf and the use and behalf of its successors, legal representatives, and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted as fully and entirely as the same would have been held and enjoyed by the Assignor had this sale and assignment not been made;

AND for the same consideration, the Assignor hereby covenants and agrees to and with the Assignee, its successors, legal representatives, and assigns, that, at the time of execution and delivery of these presents, to the extent the Assignor is the owner of any right, title, and interest in and to the inventions set forth in said patents and applications, including provisional applications, above-mentioned, are unencumbered, and that the Assignor has good and full right and lawful authority to sell and convey the same in the manner herein set forth;

AND for the same consideration, the Assignor hereby covenants and agrees to and with the Assignee, its successors, legal representatives, and assigns that the Assignor will, whenever counsel of the Assignee, or the counsel of its successors, legal representatives, and assigns, shall advise that any proceeding in connection with said inventions or said applications for Letters Patent or Patents, or any proceeding in connection with Letters Patent or Patents for said inventions in any country, including interference proceedings, is lawful and desirable, or that any applications claiming priority to said applications, divisions, continuations, or continuations-in-part of any applications for Letters Patent or Patents, or any reissues or extensions of any Letters Patent or Patents to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement, and defense of Letters Patent or Patents for said inventions, without charge to the Assignee, its successors, legal representatives, and assigns, but at the cost and expense of the Assignee, its successors, legal representatives, and assigns;

AND the Assignor hereby request the Commissioner of Patents to issue any and all said Letters Patent of the United States to the Assignee as the Assignee of said inventions, the Letters Patent to be issued for the sole use and behalf of the Assignee, its successors, legal representatives, and assigns.

Date March 19th 2003

Signature of Assignor Peter Spurgin

Name: Peter Spurgin

Title: Vice President

Company: Cytran, Inc.

Schedule A

| Title | Application Number | Filing Date | Patent Number | Attorney Docket No. |
|--|--------------------|-------------|---------------|---------------------|
| Analogues of L-Glu-L-Trp Having Pharmacological Activity | 10/146,447 | 05/14/2002 | | 033559-002 |
| Analogues of L-Glu-L-Trp Having Pharmacological Activity | 09/535,429 | 03/23/2000 | | 033599-005 |
| Analogues of L-Glu-L-Trp Having Pharmacological Activity | 09/055,051 | 04/03/1998 | 6,060,452 | 033599-093 |
| Immunomodulating Peptides and Methods of Use | 08/484,511 | 06/07/1995 | 6,100,380 | 033599-036 |
| Immunomodulating Peptides and Methods of Use | 08/144,779 | 10/28/1993 | 6,066,622 | 033599-038 |
| Pharmaceutical Angiostatic Dipeptide Compositions and Methods of Use Thereof | 08/614,764 | 03/13/1996 | 5,902,790 | 033599-013 |
| Method for Treatment of Purulent Inflammatory Diseases | 08/452,061 | 05/26/1995 | 5,807,830 | 033599-073 |
| Methods for Normalizing Numbers of Lymphocytes | 08/452,411 | 05/26/1995 | 5,728,680 | 033599-072 |
| Methods of Identifying Cytomedines, Compositions and Uses Thereof | 09/882,779 | 06/14/2001 | | 033599-039 |
| Methods of Treating Complications in Immunodepressed States Resulting From HIV Infection | 08/977,279 | 11/24/1997 | 6,368,788 | 033599-014 |
| Pharmaceutical Dipeptide Compositions and Methods of Use Thereof | 09/057,347 | 04/08/1998 | 6,139,862 | 033599-040 |
| Pharmaceutical Tryptophan Containing Dipeptide Compositions and Methods of Use Thereof | 10/164,693 | 06/06/2002 | | 033599-042 |
| Pharmaceutical Dipeptide Compositions and Methods of Use Thereof | 08/415,099 | 03/31/1995 | 5,789,384 | 033599-043 |
| Pharmaceutical for the Therapy of Immune Deficiency Conditions | 08/482,121 | 06/07/1995 | 5,814,611 | 033599-069 |
| Pharmaceutical Preparation for the Therapy of Immune Deficiency Conditions | 09/144,960 | 09/01/1998 | 6,136,788 | 033599-070 |
| Pharmaceutical Dipeptide Compositions and Methods of Use Thereof: Immunodepressants | 08/450,904 | 05/26/1995 | 5,811,399 | 033599-071 |
| Peptides having Potassium Channel Opener Activity | 08/908,328 | 08/07/1997 | 5,972,894 | 033599-102 |
| Pharmaceutical Angiostatic Dipeptide Compositions and Methods of Use Thereof | 09/260,190 | 03/01/1999 | 6,096,713 | 033599-089 |
| Pharmaceutical Angiostatic Dipeptide Compositions and Methods of Use Thereof | 09/506,430 | 02/17/2000 | | 033599-015 |
| Pharmaceutical Dipeptide Compositions and Methods of Use Thereof: Immunostimulants | 10/076,707 | 02/14/2002 | | 033599-003 |
| Pharmaceutical Dipeptide Compositions and Methods of Use Thereof: Systemic Toxicity | 08/452,077 | 05/26/1995 | 5,770,576 | 033599-104 |

Schedule A (continued)

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|--|------------|------------|-----------|------------|
| Pharmaceutical Lysine-Containing Polypeptide Compositions and Methods of Use Thereof | 09/368,449 | 08/04/1999 | 6,346,514 | 033599-012 |
| Pharmaceutical Lysine-Containing Polypeptide Compositions and Methods of Use Thereof | 09/872,503 | 05/31/2001 | | 033599-019 |
| Pharmaceutical Preparation for the Therapy of Immune Deficiency Conditions | 08/337,341 | 11/10/1994 | 5,538,951 | 033599-011 |
| Pharmaceutical Preparation for the Therapy of Immune Deficiency Conditions | 08/486,044 | 06/07/1995 | 5,767,087 | 033599-103 |